

ORDINANCE NUMBER 14-01

Document Cross Reference No. 2013032164

AN ORDINANCE OF THE CITY OF WESTFIELD TO VACATE A PUBLIC WAY IN THE 32 AT 31 HENKE CENTER SUBDIVISION

WHEREAS, the City of Westfield, Indiana (“City”) is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council (“Council”);

WHEREAS, it is the duty and the responsibility of the Council to maintain public rights-of-way for the benefit of the citizens of the City and to vacate those no longer needed for the benefit of the public; and

WHEREAS, it has come to the attention of the Council that the item herein described is no longer necessary as a benefit to the general public and should be vacated.

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COMMON COUNCIL MEETING IN SESSION AS FOLLOWS:

SECTION 1. That pursuant to Ind. Code § 36-9-2-5, the City has the authority to vacate public rights-of-way and now finds that the public right-of-way identified in Exhibit “A” and legally described in Exhibit “B”, attached hereto and incorporated by reference herein is no longer needed for the benefit of the public.

SECTION 2. That after a duly advertised and published public hearing, the Council finds that it is proper to vacate the public right-of-way identified in Exhibit “A” and Exhibit “B”.

SECTION 3. This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods and the approval of an amended secondary plat for the residual portions of the 32 at 31 Henke Center secondary plat shown in Exhibit “A” and Exhibit “B”, all as provided by the laws of the State of Indiana.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____ 2014.

WESTFIELD CITY COUNCIL

| <u>Voting For</u> | <u>Voting Against</u> | <u>Abstain</u> |
|-----------------------------|-----------------------------|-----------------------------|
| _____ Jim Ake | _____ Jim Ake | _____ Jim Ake |
| _____ Steven Hoover | _____ Steven Hoover | _____ Steven Hoover |
| _____ Robert L. Horkay | _____ Robert L. Horkay | _____ Robert L. Horkay |
| _____ Charles Lehman | _____ Charles Lehman | _____ Charles Lehman |
| _____ Robert J. Smith | _____ Robert J. Smith | _____ Robert J. Smith |
| _____ Cindy L. Spoljaric | _____ Cindy L. Spoljaric | _____ Cindy L. Spoljaric |
| _____ Robert W. Stokes | _____ Robert W. Stokes | _____ Robert W. Stokes |

ATTEST:

Cindy Gossard, Clerk Treasurer

Ord. 14-01
Vacation of Rights-of-Way
32 at 31 Henke Center Secondary Plat

I hereby certify that ORDINANCE 14-01 was delivered to the Mayor of Westfield

on the _____ day of _____, 2014, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 14-01

this _____ day of _____, 2014.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 14-01

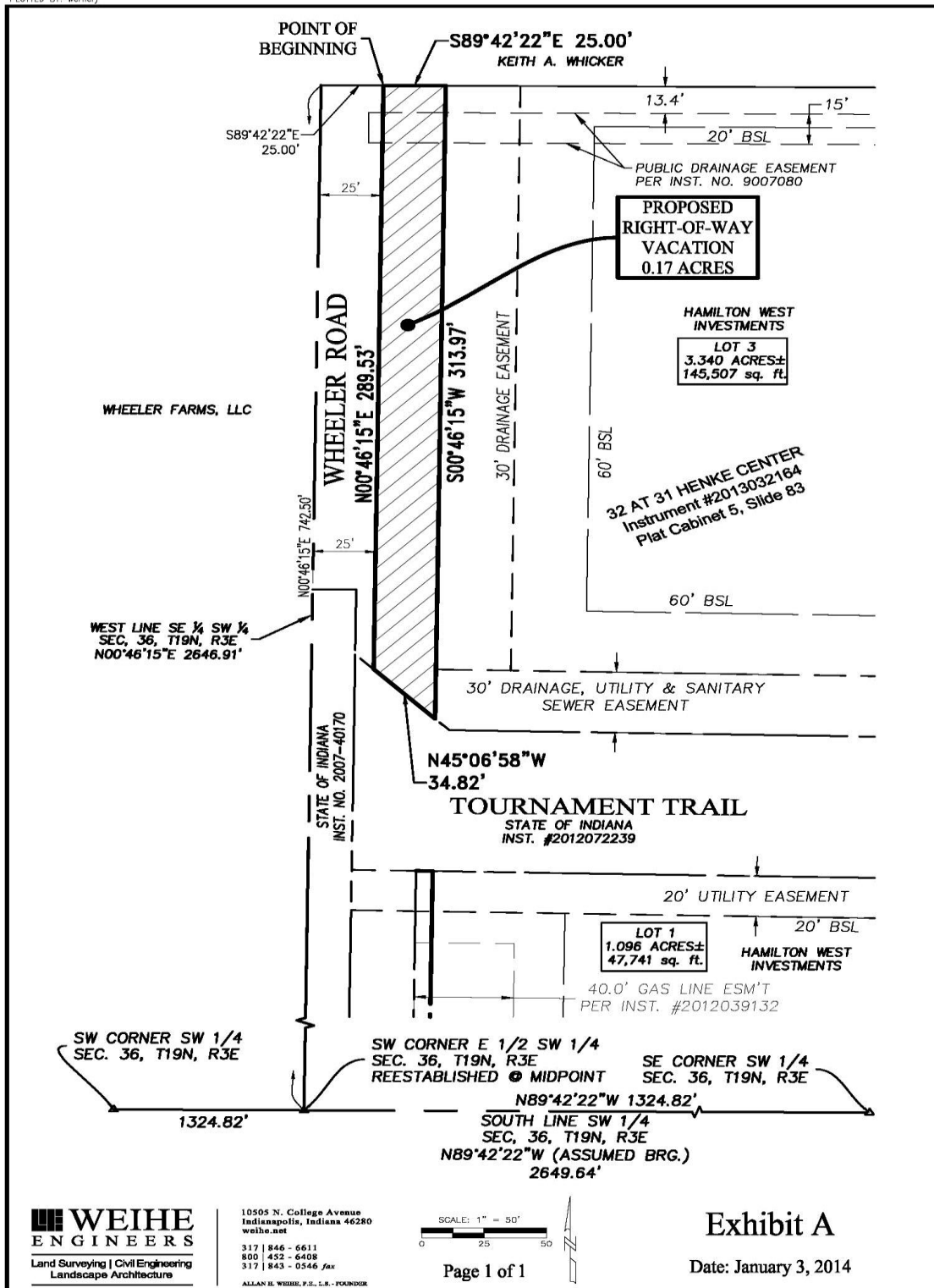
this _____ day of _____, 2014.

J. Andrew Cook, Mayor

I affirm, under penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Andrew P. Murray

This document prepared by
Andrew P. Murray
City of Westfield
(317) 379.9080

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32 at 31 Henke Center Secondary Plat



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LEGAL DESCRIPTION

Part of the Southwest Quarter of Section 36, Township 19 North, Range 3 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southeast Corner of said Southwest Quarter; thence on the South line of said Southwest Quarter North 89 degrees 42 minutes 22 seconds West (assumed bearing) 1324.82 feet to the West line of the East Half of said Southwest Quarter; thence on said West line North 00 degrees 46 minutes 15 seconds East 742.50 feet to the Northwest Corner of 32 AT 31 HENKE CENTER per the plat thereof recorded as Instrument Number 2013032164 in Plat Cabinet 5, Slide 83 in the Office of the Recorder of Hamilton County, Indiana; thence on the North line of said 32 AT 31 HENKE CENTER South 89 degrees 42 minutes 22 seconds East 25.00 feet to the POINT OF BEGINNING; thence continuing on said North line South 89 degrees 42 minutes 22 seconds East 25.00 feet to the east right-of-way line of Wheeler Road per said plat; thence on said right-of-way line South 00 degrees 46 minutes 15 seconds West 313.97 feet to the North line of the land described in Instrument Number 2012072239 in the Office of said Recorder; thence on said North line North 45 degrees 06 minutes 58 seconds West 34.82 feet; thence parallel with the West line of said East Half North 00 degrees 46 minutes 15 seconds East 289.53 feet to the POINT OF BEGINNING, containing 0.17 acres, more or less.